

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MOLLORD PARKS, JR. a/k/a	)	
MALLARD PARKS,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CIV-10-266-F
	)	
COMANCHE COUNTY	)	
DETENTION CENTER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

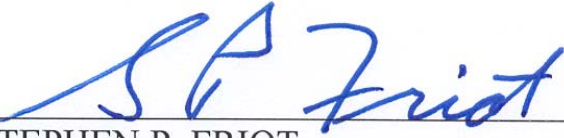
On April 13, 2010, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation, wherein he recommended that this action be dismissed without prejudice. Magistrate Judge Purcell advised plaintiff of his right to file an objection to the Report and Recommendation by May 3, 2010 and that failure to timely object to the Report and Recommendation would waive appellate review of the recommended ruling.

The Report and Recommendation, which was mailed to plaintiff's last known address, was returned to the court as undeliverable on April 21, 2010. To date, plaintiff has not has not notified the court of any change of address. However, pursuant to LCvR 5.4(a), the Report and Recommendation is deemed delivered because it was sent to plaintiff's last known address.

As the Report and Recommendation is deemed delivered and it has not been objected to within the time prescribed by Magistrate Judge Purcell, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on April 13, 2010 (doc. no. 7) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. The above-entitled action is **DISMISSED WITHOUT PREJUDICE**.

DATED May 4, 2010.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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